

Town of Groton, Connecticut

45 Fort Hill Road Groton, CT 06340-4394 Town Clerk 860-441-6640 Town Manager 860-441-6630

Meeting Minutes

Town Council

Mayor Rita M. Schmidt, Councilors Dean Antipas, Genevieve Cerf, Joe de la Cruz, Bruce S. Flax, Bob Frink, Rich Moravsik, Deborah L. Peruzzotti and Harry A. Watson

Tuesday, May 19, 2015

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

The meeting was called to order at 7:50 p.m. by Councilor Watson.

Members Present: Mayor Schmidt, Councilor Cerf, Councilor de la Cruz, Councilor Flax, Councilor Frink,

Councilor Moravsik, Councilor Watson and Councilor Antipas

Members Absent: Councilor Peruzzotti

Also present were Town Manger Mark Oefinger and Town Clerk Betsy Moukawsher.

II. SALUTE TO THE FLAG

The Salute to the Flag was led by Mayor Schmidt.

III. RECOGNITION, AWARDS & MEMORIALS

2015-0117 Proclamation Honoring Betty Anne Reiter

Read

Councilor Antipas read this proclamation.

Mayor Schmidt recessed the meeting at 7:55 p.m. for the Public Hearing.

Recess for:

2015-0131

Public Hearing on Ordinance for Refurbishment of WPCF Effluent Pump Station and Rehabilitation of Fishtown Road Pump Station

PUBLIC HEARING ON AN ORDINANCE APPROPRIATING \$8,230,000 FOR REFURBISHMENT OF THE WATER POLLUTION CONTROL FACILITY (WPCF) EFFLUENT PUMP STATION AND REHABILITATION OF THE FISHTOWN ROAD PUMP STATION AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Section 1. That the sum of EIGHT MILLION TWO HUNDRED THIRTY THOUSAND DOLLARS (\$8,230,000) is appropriated for costs related to design and construction of improvements to the refurbishment of the Water Pollution Control Facility (WPCF) Effluent Pump Station and rehabilitation of the Fishtown Road Pump Station, and costs related to the financing thereof, substantially as described in the Fishtown Road Pump Station Condition Evaluation and Preliminary Design Report, dated August 2011, the Fishtown Road Pump Station Rehabilitation - Preliminary Drawings Presented to the WPCA 10/9/14, the Effluent Pump Station Needs Evaluation Summary Report, dated March 14, 2014 and revised June 5, 2014, and the Effluent Pump Station Needs Evaluation - Presentation to the WPCA 10/9/14, each available for inspection at the Public Works Department Offices in the Town Hall Annex Building, 134 Groton Long Point Road, Groton, Connecticut. The appropriation may be spent for design, acquisition, installation and construction costs, equipment, materials, construction management, site improvements, engineering fees, design and bidding services, testing and inspection costs, related site and utilities work, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. The Town Council shall determine the scope and particulars of the

project and may reduce or modify the scope of the project, and the entire appropriation may be expended on the project as so modified or reduced.

Section 2. That the Town issue bonds or notes or obligations, in an amount not to exceed EIGHT MILLION TWO HUNDRED THIRTY THOUSAND DOLLARS (\$8,230,000) to finance the appropriation for the project. The amount of bonds or notes or obligations authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes or obligations shall be issued pursuant to Section 7-259 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes or obligations shall be secured by the irrevocable pledge of the full faith and credit of the Town of Groton. The Town does hereby covenant and agree with the holders of the bonds or notes or obligations and all notes and interim funding obligations issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes or obligations that in each year while any such bonds or notes or obligations are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town, other than properties within the City of Groton, in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds or notes or obligations as the same become due and payable.

Section 3. That the Town issue and renew temporary notes or interim funding obligations from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes or obligations for the project. The amount of the notes or obligations outstanding at any time shall not exceed EIGHT MILLION TWO HUNDRED THIRTY THOUSAND DOLLARS (\$8,230,000). The notes or obligations shall be issued pursuant to Section 7-264 and 7-378 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be secured by the irrevocable pledge of the full faith and credit of the Town, payable as provided in Section 2. The Town shall comply with the provisions of Sections 7-378a and 7-378b of the General Statutes with respect to any notes that do not mature within the time permitted by said Sections 7-264 or 7-378, and the Town shall comply with the provisions of Section 22a-479(c) with respect to any obligations.

Section 4. That the Town Council shall determine the amount of bonds, notes or obligations authorized by Section 2 to be sold. The Town Manager and the Director of Finance shall determine the amount of any temporary notes or interim funding obligations authorized by Section 3 to be sold. The Town Manager and the Director of Finance of the Town shall sign any bonds or notes or obligations by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes or obligations. The Town Manager and the Director of Finance are authorized to determine the dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes or obligations; to provide for the keeping of a record of the bonds or notes or obligations; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes or obligations; to designate a financial advisor to the Town in connection with the sale of the bonds or notes or obligations; to sell the bonds or notes or obligations at public or private sale; to deliver the bonds or notes or obligations; and to perform all other acts which are necessary or appropriate to issue the bonds or notes or obligations.

Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes or obligations authorized by this resolution if

issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

Section 6. That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes or obligations to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes or obligations.

Section 7. That the Town Manager, on behalf of the Town, is authorized to apply for and accept state grants to finance the project and state loans to finance the project, and to enter into any grant or loan agreement prescribed by the State. The Town Manager, the Director of Finance and the Water Pollution Control Authority are authorized to take any other actions necessary to obtain such grants or loans pursuant to Section 22a-479 of the Connecticut General Statutes, Revision of 1958, as amended, or to any other present or future legislation, or to implement such grant or loan agreements.

Section 8. That the Water Pollution Control Authority is authorized to construct the sewer project; to approve design and construction expenditures and any easement acquisition costs incurred for the sewer project; and to contract with engineers, contractors and others on behalf of the Town for said sewer project. All such authority is subject to the provisions of Section 1.

Section 9. That the Town Manager, the Director of Finance, the Water Pollution Control Authority and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes or obligations to finance the aforesaid appropriation.

Section 10. This ordinance shall become effective only if it has been adopted by vote of not less than five (5) members of the Town Council and by the Representative Town Meeting, and only if the appropriation set forth in Section 1 and the issuance of bonds and notes and obligations to finance said appropriation have been approved by the voters at referendum in accordance with Section 8.12 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

This matter was Heard at Public Hearing.

Assistant Director of Public Works Christian Lund, 4 Soso Lane, Westerly, Rhode Island, gave a detailed description and synopses of the Effluent Pump Station project and the Fishtown Road Pump Station Rehabilitation project. He also introduced Engineer Derek Albertson. Mr. Lund announced two (2) Public Open House sessions to be held Wednesday, May 20, 2015 and May 23, 2015. The public will be led on tours of the facility and information will be available describing how the plant operates.

John Wirzbicki, 355 Brook Street, Noank, spoke in favor of both projects. He stated that he is a member of the Water Pollution Control Authority and that the Authority is unanimously in favor of these projects.

Laura Baller, 30 Brook Street, Noank, stated that she is a member of the Water Pollution Control Authority and she spoke in favor of these projects.

Town manager reported on the Planning Commission's findings of being unanimously in favor of the Bonding Ordinances.

IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS

None.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

None.

VI. CONSENT CALENDAR

a. Approval of Minutes

2015-0130 Approval of Minutes (Town Council)

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meetings of April 21, 2015 and May 5, 2015 are hereby accepted and approved.

This Matter was Adopted on the Consent Calendar.

b. Administrative Items

2015-0114 Special Trust Fund Contributions

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Mary Thomas - \$100.00 - Library Miscellaneous

Susan Kietzman - \$25.00 - Library Miscellaneous

Matthew Goldman - 25.00 - Library Miscellaneous

Kathleen O'Beirne - 25.00 - Library Miscellaneous

Gary & Betty Beasley - \$100.00 - Social Services Discretionary

Arthur & Marilyn Kirkpatrick - \$25.00 - Social Services Discretionary

Richard & Linda Mikna - \$50.00 - Social Services Discretionary

Lee Vincent - \$50.00 - Social Services Discretionary

This Matter was Adopted on the Consent Calendar.

c. Deletions from the Town Council Referral List

2015-0120	Reappointment of Phil Butta to Parks and Recreation Commission
	This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
2015-0121	Reappointment of Roger Sherman to Shellfish Commission
	This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
2015-0122	Reappointment of Floyd Kravits to Zoning Board of Appeals
	This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
2015-0123	Reappointment of James Mitchell to Board of Assessment Appeals
	This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
2015-0124	Reappointment of Deborah Monteiro to Board of Assessment Appeals
	This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
2015-0125	Reappointment of Theodore Hespeler to Community Development Advisory Committee
	This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
2015-0126	Reappointment of Lee Vincent to Community Development Advisory Committee
	This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
2015-0127	Reappointment of Lenore White to Library Board
	This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
2015-0128	Introduction of an Ordinance Amending Ordinance No. 239

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2015-0129 Scheduling of Public Hearing on an Ordinance to Amend Ordinance No. 239

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

Passed The Consent Calendar

A motion was made by Councilor Watson, seconded by Councilor Moravsik, to adopt the Consent Calendar, including all the preceding items marked as having been adopted on the Consent Calendar. The motion carried unanimously

VII. COMMUNICATIONS & REPORTS (Other than Committee Reports)

a. Town Councilors

Councilor Antipas attended the May 9, 2015 Noank School Community Garden ceremony, and the Mad Science Day event at S.B. Butler School on May 15, 2015.

Councilor Cerf reported that she attended the May 9, 2015 Noank School Community Garden ceremony, and a Board of Education Town & City Councils/RTM Liaison Committee meeting. She also attended a Safe Futures meeting on May 7, 2015.

Councilor Flax reported that he attended the Board of Education Town & City Councils/RTM Liaison Committee meeting on May 6, 2015. He also attended a few of the RTM budget sessions, and the Noank School Community Garden ceremony on May 9, 2015.

Councilor Watson attended the Board of Education Town & City Councils/RTM Liaison Committee meeting on May 6, 2015. It was noted by the Town Manager that the School Facilities Initiative Task Force will conduct public information workshops at the Groton Senior Center on Thursday, May 21, 2015, at 6:30 p.m.and Thursday, May 28 at the Town Hall Annex. Councilor Watson reported that he attended the Noank School Community Garden ceremony on May 9, 2015, the U.S.S. Groton Sail Procurement Task Force meeting on May 13, 2015, and a RTM budget session.

Councilor Moravsik attended the Chamber of Commerce meeting at the Groton Inn, where the topic of maintenance to the State's transportation system was discussed. He attended the Safe Futures meeting on May 7, 2015, and the U.S.S. Groton Sail Procurement Task Force meeting on May 13, 2015.

Councilor Frink reported on the Economic Development Commission meeting that he attended and added that there will be a presentation, May 27, 2015 at the Town Hall Annex, of the market analysis and zoning regulations update.

Councilor de la Cruz reported that there was a special Committee of the Whole meeting earlier this evening, where the effect of heroin in the community was discussed. He announced that the Shine the Light on Heroin campaign will have a kick-off event on Saturday, May 23, 2015, 8:00 p.m., at Ocean Beach. He spoke at a Ledyard Rotary meeting on the subject of heroin use in our community. He reported on the upcoming School Facilities public workshops.

Mayor Schmidt attended the event honoring Betty Anne Reiter at the Groton Public Library on May 6, 2015, the Noank School Community Garden ribbon cutting, the School Facilities Initiative Task Force meeting, and the 1938 Hurricane film presentation at the Groton Public Library on May 15, 2015. She attended Nicholas Nado's Eagle Scout presentation on May 16, 2015 and the special Committee of the Whole meeting this evening. She received an email from the Town Clerk regarding the 4th of July parade. She also announced that Town Councilors should go through the Town Manager when seeking information from Town staff. She stated that there is a provision for this in the Town Charter.

b. Clerk of the Representative Town Meeting

Town Clerk Betsy Moukawsher announced that the RTM has completed their deliberations on the Town budget. Their next meeting will be in June. All regular RTM meetings are held at 7:30 p.m. on the second Wednesday of every month, at the Groton Senior Center.

c. Clerk of the Council

Town Clerk Betsy Moukawsher reported on the new dog licensing program in the Clerk's office. She announced that dog licensing for 2015 begins on June 1 and runs through the month. She explained the fees for altered and unaltered dogs.

d. Town Manager

The Town Manager highlighted items from the Town Manager's Weekly Status Report. He also reviewed items proposed for the next Committee of the Whole meeting.

VIII. COMMITTEE REPORTS

a. Community Relations - Chairman de la Cruz

No meeting, no report.

b. Finance - Chairman Frink

No meeting, no report.

c. Personnel & Appointments - Chairman Flax

Chairman Flax reported that the committee held a meeting at 6:03 p.m. on May 5, 2015. Committee members present were Councilors de la Cruz, Moravsik, Peruzzotti, and Flax. Also attending was Town Manager Mark Oefinger. The committee interviewed and recommended for reappointment Mr. Kravitz to the Zoning Board of Appeals and Mr. Mitchell to the Board of Assessment Appeals. They also recommend Mr. Butta, Mr. Sheman, Ms. Monteiro, Mr. Hespeller, Mr. Vincent, and Ms. White for reappointment to their respective committees. The meeting adjourned at 6:22 p.m.

d. Rules - Chairman Frink

No meeting, no report.

e. Committee of the Whole - Mayor Schmidt

Mayor Schmidt reported that the Committee of the Whole met on May 12, 2015 and they passed all items that are on tonight's agenda. She also reported on the special Committee of the Whole meeting that was held earlier this evening.

IX. NEW BUSINESS

2015-0120 Reappointment of Phil Butta to Parks and Recreation Commission

RESOLUTION REAPPOINTING PHILIP J. BUTTA TO THE PARKS AND RECREATION COMMISSION

RESOLVED, that Philip J. Butta, 282 Noank-Ledyard Road, Mystic is hereby reappointed to the Parks and Recreation Commission for a term expiring 12/31/19.

A motion was made by Councilor Flax, seconded by Councilor Watson, that this matter be Adopted. The motion carried unanimously

2015-0121 Reappointment of Roger Sherman to Shellfish Commission

RESOLUTION REAPPOINTING ROGER SHERMAN TO THE SHELLFISH COMMISSION

RESOLVED, that Roger Sherman, 306 Fishtown Road, Mystic is hereby reappointed to the Shellfish Commission for a term expiring 12/31/19.

A motion was made by Councilor Flax, seconded by Councilor Watson, that this matter be Adopted.

The motion carried unanimously

2015-0122 Reappointment of Floyd Kravits to Zoning Board of Appeals

RESOLUTION REAPPOINTING FLOYD KRAVITS TO THE ZONING BOARD OF APPEALS

RESOLVED, that Floyd Kravits, 911 New London Road, Mystic is hereby reappointed to the Zoning Board of Appeals, for a term expiring 12/31/19.

A motion was made by Councilor Flax, seconded by Councilor Watson, that this matter be Adopted. The motion carried unanimously

2015-0123 Reappointment of James Mitchell to Board of Assessment Appeals

RESOLUTION REAPPOINTING JAMES MITCHELL TO THE BOARD OF ASSESSMENT APPEALS

RESOLVED, that James Mitchell, 711 Cow Hill Road, Mystic, is hereby reappointed as a member of the Board of Assessment Appeals for a term ending 12/31/17.

A motion was made by Councilor Flax, seconded by Councilor Watson, that this matter be Adopted.

The motion carried unanimously

2015-0124 Reappointment of Deborah Monteiro to Board of Assessment Appeals

RESOLUTION REAPPOINTING DEBORAH MONTEIRO TO THE BOARD OF ASSESSMENT APPEALS

RESOLVED, that Deborah B. Monteiro, 70 Spyglass Circle, is hereby reappointed as an alternate member to the Board of Assessment Appeals for a term ending 12/31/17.

A motion was made by Councilor Flax, seconded by Councilor Watson, that this matter be Adopted. The motion carried unanimously

2015-0125 Reappointment of Theodore Hespeler to Community Development Advisory Committee

RESOLUTION REAPPOINTING THEODORE HESPELER TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

RESOLVED, that Theodore Hespeler, 21 Tower Avenue, is hereby reappointed to the Community Development Advisory Committee for a term ending 2/7/18.

A motion was made by Councilor Flax, seconded by Councilor Watson, that this matter be Adopted. The motion carried unanimously

2015-0126 Reappointment of Lee Vincent to Community Development Advisory Committee

RESOLUTION REAPPOINTING LEE VINCENT TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

RESOLVED, that Lee Vincent, 1 New London Road, Mystic, is hereby reappointed to the Community Development Advisory Committee for a term ending 2/7/18.

A motion was made by Councilor Flax, seconded by Councilor Watson, that this matter be Adopted.

The motion carried unanimously

2015-0127 Reappointment of Lenore White to Library Board

RESOLUTION REAPPOINTING LENORE WHITE TO THE LIBRARY BOARD

RESOLVED, that Lenore White, 76 Brook Street, is hereby reappointed to the Library Board for a term ending 12/31/17.

A motion was made by Councilor Flax, seconded by Councilor Watson, that this matter be Adopted.

The motion carried unanimously

2015-0128 Introduction of an Ordinance Amending Ordinance No. 239

INTRODUCTION OF AN ORDINANCE TO AMEND SECTIONS 3 AND 4 OF ORDINANCE NO. 239

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON: that §§ 3 and 4 of Ordinance No. 239 (§§ 13-3 and 13-4 of the Code of Ordinances) shall be amended as follows:

1. § 13-3. Delete the reference to § 6.2 of the Charter of the Town of Groton and replace it with a reference to § 7.2 of the Charter of the Town of Groton as amended effective 2009.

Pursuant to C.G.S. §§ 7-273aa-7-27300, inclusive, there is hereby created a municipal resource recovery authority, to be known as the "Town of Groton Resource Recovery Authority", 45 Fort Hill Road, Groton, CT 06340. Pursuant to C.G.S. § 7-273aa(b), the town council of the Town of Groton is hereby designated to be the resource recovery authority and in such capacity it shall have all those rights, powers, and duties set forth in the Connecticut General Statutes relating to municipal recovery authorities.

The town council, acting in its capacity as the Town of Groton Resource Recovery Authority, shall have the power to adopt resolutions, rules and regulations and to set rents, fees, or charges as may be necessary to effectuate the purposes of this chapter. Copies of any such resolutions, rules and regulations, and the amount of any such rents, fees or charges shall be made available upon request at the town hall, which shall constitute the principal office of the authority.

The town manager shall be the chief executive officer for the authority and shall have the administrative responsibilities on behalf of the Town of Groton Resource Recovery Authority, set forth in Section 7.2 of the Charter of the Town of Groton.

The town council shall also have the power to designate, within the geographical area one or several residential and/or commercial improvement districts, and to enter into contracts, or grant franchises, for the provision of solid waste collection, transport and/or disposal services within those districts.

2. Amend the existing § 13-4 as follows:

Effective January 1, 1999, the removal, transport and/or disposal of solid waste from commercial units and from residential units within the geographical area shall be regulated, managed, supervised and/or performed by the Town of Groton Resource Recovery Authority or its agent(s) in conformance with such rules and regulations as the authority has or shall from time to time adopt. Effective on a date to be established by the authority, the removal, transport and/or disposal of solid waste from commercial units and from residential units within the geographical area shall be managed, supervised and/or performed by the Town of Groton Resource Recovery Authority or its agent(s) in conformance with such rules and regulations as the authority has or shall from time to time adopt, and from the date determined by the authority for commercial and residential units as aforesaid, all other persons are hereby prohibited from removing, transporting and/or disposing of solid waste generated within the geographical area by the commercial or residential units, respectively. The authority may, however, provide by regulation an exception for generators of solid waste to self-transport and self-dispose of such waste.

This matter was Adopted.

Introduction was made by Councilor Frink. Town Manager Mark Oefinger explained that this ordinance would enable the Town to get out of the business of commercial hauling. In response to a question posed by Councilor Flax, the remaining funds are in the control of the Town Council.

2015-0129 Scheduling of Public Hearing on an Ordinance to Amend Ordinance No. 239

RESOLUTION SCHEDULING A PUBLIC HEARING ON AN ORDINANCE TO AMEND SECTIONS 3 AND 4 OF ORDINANCE NO. 239

RESOLVED, that the Town Council will hold a public hearing on an Ordinance to Amend Sections 3 and 4 of Ordinance No. 239 on Tuesday, June 2, 2015 at 7:30 p.m. in the Town Hall Annex, Community Room 1.

A motion was made by Councilor de la Cruz, seconded by Councilor Moravsik, that this matter be Adopted.

The motion carried unanimously

X. OTHER BUSINESS

None.

XI. ADJOURNMENT

Councilor Watson made a motion to adjourn, seconded by Councilor de la Cruz and so taken at 8:37~p.m.

Attest:

Betsy Moukawsher, Town Clerk Clerk of the Council